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SUBJECT: CONSTITUENT ASSEMBLY: DRAFT UPPER HOUSE ELECTION LAW

2. HEREWITH EMBASSY'S UNOFFICIAL TRANSLATION REVISED COMMITTEE DRAFT OF UPPER HOUSE ELECTION LAW. PLENARY DEBATE ON DRAFT WILL BEGIN MAY 19. ORIGINAL DRAFT SET ELECTION DATE FOR DECEMBER 17, 1967. PRESENT DRAFT OMITS ANY REFERENCE TO ELECTION AND FILING DATES, LEAVING MATTER ENTIRELY OPEN TO DEBATE.

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RSR LAW NO. (BLANK) DATED (BLANK) FIXING THE ORGANIZATION OF THE ELCTION OF THE SENATORS.

CHAPTER ONE

ELECTION DAY

ARTICLE 1. BASED ON ARTICLE 33 OF THE CONSTITUTION OF THE REPUBLIC OF VIET NAM PROMULGATED ON APRIL 1, 1967, THIS LAW SETS FORTH THE PROCEDURES GOVERNNING THE ELECTIONS FOR SENATORS.

ARTICLE 2. THE ELECTION FOR SENATORS WILL TAKE PLACE ON A SUNDAY.

(2) ARTICLE 3. IF IN ANY LOCALITY ELECTIONS CANNOT BE HELD FOR REASONS BEYOND THEIR CONTROL, MAYORS OR PROVINCE CHIEFS OF THAT LOCALITY ARE AUTHORIZED TO POSTPONE THE ELECTIONS UNTIL THE NEXT MOST FAVORABLE DAY AFTER INFORMING THE SPECIAL COMMISSARIAT FOR ADMINISTRATION OF THE MINISTRY OF INTERIOR.

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CHAPTER TWO

ELECTORS

ARTICLE 4. (1) ELECTORS FOR SENATORS ARE THOSE PERSONS OF VIETNAMESE NATIONALITY WHO, IRRESPECTIVE OF SEX, WERE 18 YEARS OF AGE AS OF DECEMBER 31, 1966, AND WHO ARE INSCRIBED ON THE ELECTORS' LIST AND HOLDERS OF REGULAR ELECTORS' CARDS, EXCEPT THOSE DEPRIVED OF THE RIGHTS OF CITIZENSHIP.

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() EACH CITIZEN WILL BE INSCRIBED ON ONLY ONE ELECTORS' LIST.

ARTICLE 5. (1) IN SAIGON CAPITAL, THE LIST OF ELECTORS OF EVERY QUARTER WILL BE SET AND POSTED BY THE DISTRICT CHIEF FOR THE FIRST TIME (DATE BLANK) AT THE DISTRICT OFFICE, THE CHIEF OF QUARTER'S OFFICE, AND AT ANY PLACE CONSIDERED NECESSARY BY THE MAYOR OF SAIGON.

(2) IN PROVINCES THE LIST OF ELECTORS OF EACH VILLAGE WILL BE SET BY THE VILLAGE ADMINISTRATIVE COMMITTEE AND WILL BE POSTED ON THE ABOVE-MENTIONED DAY AT THE VILLAGE AND HAMLET OFFICE.

(3) IN MUNICIPALITIES THE LIST OF ELECTORS OF EVERY QUARTER OR VILLAGE WILL BE SET BY THE CHIEF OF THE MUNICIPALITY AND POSTED ON THE ABOVE-MENTIONED DAY AT THE QUARTER, SECTOR, VILLAGE OR HAMLET OFFICE.

(4) FOR MILITARY MEN AND THEIR FAMILIES RESIDING IN MILITARY CAMPS, THE LIST OF ELECTORS WILL BE SET BY THE COMMANDERS AND TRANSMITTED TO MAYORS AND DISTRICT CHIEFS FOR COUNTER-SIGNATURE BEFORE POSTING.

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(5) MOREOVER, A COPY OF THE ELECTORS' LIST IN THE VILLAGE, SECTOR AND QUARTER WILL BE POSTED AT THE ADMINISTRATIVE OFFICE OF THE CAPITAL, PROVINCES, MUNICIPALITIES AND DISTRICTS.

(6) ELECTORS WHO HAVE CHANGED THEIR RESIDENCE AND WISH TO VOTE IN THEIR NEW AREA OF RESIDENCE SHOULD MAKE DECLARARATION TO LOCAL AUTHORITIES (VILLAGE, SECTOR, QUARTER AND DISTRICT) ACCORDING TO THE PROCEDURES APPLIED IN THE DECLARATION OF FAMILY LISTS, NOT LATER THAN (DATE BLANK).

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ARTICLE 6. (1) CIVIL SERVANTS AND MILITARY MEN ON MISSIONS, REASSIGNMENT, OR UNABLE TO RETURN TO PLACES OF RESIDENCE WHERE THEIR NAMES ARE REGISTERED ON THE ELECTORS' LIST, MAY CAST THEIR VOTES AT THEIR ACTUAL LOCATION ON ELECTION DAY WITHOUT HAVING TO PREVIOUSLY REGISTER THEIR NAMES ON THE ELECTORAL LIST.

(2) BESIDES THEIR VOTING CARDS, CIVIL SERVANTS AND MILITARY MEN MUST SHOW IN ADDITION A CERTIFICATE RELATED TO THE SPECIAL CIRCUMSTANCES DESCRIBED ABOVE AND DULY DELIVERED BY RESPONSIBLE HIGHER AUTHORITIES.

(3) IN THIS CASE, THE COMMITTEE IN CHARGE OF THE POLLING STATION MUST DRAW UP AN ADDITIONAL LIST WHICH WILL BE TRANSMITTED

TOGETHER WITH THE ELECTION REPORT TO THE COUNCIL CHARGED WITH FINAL REVIEW OF ELECTION RESULTS.

ARTICLE 7. (1) CITIZENS WHO FULFILL ALL THE CONDITIONS FOR VOTING BUT WHOSE NAMES DO NOT APPEAR ON THE LIST OF VOTERS OR APPEAR INCORRECTLY, HAVE THE RIGHT TO COMPLAIN.

(2) THE COMPLAINTS MUST BE FILED AT THE QUARTER, VILLAGE OR SECTOR BY (DATE BLANK) AT THE LATEST - THE AGENCIES WHICH RECEIVE THE COMPLAINTS WILL DELIVER A RECEIPT TO THE INTERESTED PERSONS AND SEND THROUGH ADMINISTRATIVE CHANNELS THE COMPLAINTS, TOGETHER WITH THEIR OPINION TO THE CAPITAL, PROVINCE OR TOWN OFFICE.

(3) AT THE END OF THE PERIOD FOR LODGING COMPLAINTS, ELECTORS' LISTS AND COMPLAINTS, IF ANY, WILL BE DISPATCHED BY MAYORS AND PROVINCE CHIEFS TO THE COUNCIL STIPULATED IN ARTICLE 9 BY (DATE BLANK), AT THE LATEST, FOR FINAL DECISION.

(4) THE LISTS OF VOTERS MUST BE DECIDED BY THE COUNCIL AND SENT BACK TO THE INTERESTED ADMINISTRATIVE AUTHORITIES BY NOVEMBER 6, 1967, AT THE LATEST. (MORE)
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SUBJECT;; CONSTITUENT ASSEMBLY; DRAFT UPPER HOUSE ELECTION LAW

(5) THE ADMINISTRATIVE AUTHORITIES WILL POST THE LISTS OF VOTERS FOR THE SECOND TIME AT THE PLACES STIPULATED IN ARTICLE 5 BY (DATE BLANK), AT THE LATEST.

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ARTICLE 8. THE PROCEDURES FOR MAKING OR ISSUANCE OF VOTERS' CARDS WILL BE DECIDED BY THE SPECIAL COMMISSARIAT FOR ADMINISTRATION OR THE MINISTRY OF INTERIOR.

ARTICLE 9. (1) IN THE SAIGON CAPITAL, EACH PROVINCE AND EACH MUNICIPALITY A LOCAL ELECTION COUNCIL WILL BE ESTABLISHED, WITH THE FOLLOWING COMPOSITION;

(2) THE CHAIRMAN IS THE PRESIDING JUDGE OF THE COURT OF 1ST INSTANCE, THE PRESIDING JUDGE OF THE LOCAL CONCILIATION COURT WITH EXTENDED JURISDICTION, OR THE PRESIDING JUDGE OF THE LOCAL COUCILIATION COURT, OR IF THERE IS NO COURT IN THIS LOCALITY, A MAGISTRATE NOMINATED BY THE JUSTICE MINISTRY.

(3) THREE REPRESENTATIVES OF THE MUNICIPAL OR PROVINCIAL COUNCIL WHO ARE NOT CANDIDATES, CHOSEN BY LOT, WILL SERVE AS MEMBERS.

(4) TWO VOTERS' REPRESENTATIVES CHOSEN BY LOTS FROM A LIST OF TWENTY NOTABLES NOMINATED BY MUNICIPAL OR PROVINCIAL COUNCIL AND WHO ARE NOT CANDIDATES, WILL SERVE AS MEMBERS.

(5) ONE REPRESENTATIVE OF THE CITY, TOWN OR PROVINCE ADMINISTRATIVE OFFICE WILL SERVE AS REPORTER AND WILL HAVE THE RIGHT TO VOTE.

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CHAPTER THREE

CANDIDATES

ARTICLE 10. CITIZENS MEETING THE FOLLOWING CONDITIONS WILL HAVE THE RIGHT TO RUN FOR THE UPPER HOUSE;

(1) CANDIDATES MUST POSSESS VIETNAMESE NATIONALITY BY BIRTH, OR VIETNAMESE NATIONALITY DURING AT LEAST SEVEN YEARS, OR VIETNAMESE NATIONALITY RECOVERED FOR AT LEAST FIVE YEARS ON THE DAY THE ELECTION IS HELD.

(2) CANDIDATES MUST BE 30 YEARS OLD ON ELECTION DAY.

(3) CANDIDATES MUST ENJOY FULL RIGHTS OF CITIZENSHIP.

(4) CANDIDATES MUST HAVE COMPLIED WITH MILITARY DRAFT REGULATIONS.

(5) CANDIDATES MUST HAVE PERMANENT RESIDENCE IN VIET-NAM FOR AT LEAST THREE CONSECUTIVE YEARS IMMEDIATELY PRIOR TO ELECTION DAY.

(6) CANDIDATES MUST NOT FALL WITHIN THE CATEGORIES PRESCRIBED IN ARTICLE11.

ARTICLE 11. THE FOLLOWING PERSONS WILL NOT BE ALLOWED TO BE CANDIDATES;

(1) THOSE SENTENCED FOR CRIMINAL OFFENCES;

(2) THOSE SENTENCED FOR LIGHT OFFENSES SUCH AS THEFT, SWINDLING, BREACH OF TRUST, FORGERY, VIOLATION OF GOOD MORALS, BRIBERY, INFLUENCE PEDDLING AND EMBEZZLEMENT.

(3) THOSE SENTENCED TO MORE THAN THREE MONTHS IMPRISONMENT FOR LIGHT OFFENSES, EXCEPT FOR THOSE COMMITTED BY CARELESSNESS AND NEGLIGENCE. HOWEVER, THOSE GUILTY OF DESERTING THE SCENE OF A TRAFFIC ACCIDENT WILL NOT BE ALLOWED TO RUN.

(4) THOSE WHO HAVE BEEN DEPRIVED OF CIVIC RIGHTS OR THE RIGHT TO RUN BY COURT SENTENCES ACCORDING TO LAWS NOW IN FORCE.

(5) THOSE UNDER LEGAL GUARDIANSHIP OR STRUCK BY MENTAL DISEASES.

(6) PERSONS WHO HAVE GONE BANKRUPT AND ARE NOT YET REHABILITATED.

(7) PERSONS WHO HAVE NOT COMPLIED WITH ORDERS TO SERVE IN THE ARMED FORCES.

(8) CIVIL SERVANTS, MILITARY MEN, GOVERNMENT OFFICIALS IN ALL BRANCHES AND AT ALL LEVELS, WHO HAVE BEEN SUSPENDED, DISMISSED OR RESIGNED FOR DISCIPLINARY REASONS.

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(9) THOSE WHO HAVE DIRECTLY OR INDIRECTLY WORKED FOR COMMUNISM AND PRO-COMMUNIST NEUTRALISM OR WORKED IN THE INTERESTS OF COMMUNISM.

THE PROVISIONS OF PARAGRAPHS 1, 2, 3, 4 AND 8 CITED ABOVE WILL NOT APPLY TO THOSE WHO HAVE HAD THEIR STATUS RESTORED ACCORDING TO PROVISIONS STIPLATED IN DECREE-LAW 4/63 OF DECEMBER 24, 1963, OR WHO HAVE BEEN GRANTED AMNESTY BY DECREE-LAW 083-SL/CT OF JANUARY 29, 1964 AND SUBSEQUENT TEXTS.

THOSE WHO HAVE BEEN SENTENCED FOR CRIMINAL OR LIGHT OFFENSES OF POLITICAL CHARACTER OR FOR POLITICAL REASONS, MAY APPEAL BY (DATE BLANK), AT THE LATEST, FOR A COUNCIL'S DECISION THAT THE SENTENCE PASSED UPON THEM IS ONE WHICH WOULD NOT PREVENT THEM FROM RUNNING. THIS COUNCIL WILL BE PRESIDED BY THE PRESIDENT OF THE SUPREME COURT OF APPEALS, ASSISTED BY TWO ASSISTANT JUDGES OF THE SAME COURT SERVING AS MEMBERS AND WILL HAVE TO MAKE A DECISION WITHIN TWO WEEKS FOLLOWING THE DATE OF APPEAL.

ARTICLE 12. (1) CIVIL SERVANTS AND MILITARY PERSONNEL WISHING TO BE CANDIDATES MUST REQUEST LEAVE WITHOUT PAY FROM THE DAY THEY HAVE COMPLETED THEIR APPLICATION FOR CANDIDACY THROUGH ELECTION DAY.

(2) THIS ARTICLE DOES NOT APPLY TO PERSONS HOLDING POPULARLY ELECTED POSITIONS.

ARTICLE 13. (1) APPLICATIONS FOR CANDIDACY MUST BE FILED IN DUPLICATE AS A LIST INCLUDING THE FULL NAMES OF THE NINE CANDIDATES, ALIASES IF ANY, DATE AND BIRTHPLACE, OCCUPATION, PRESENT RESIDENCE, AND A CERTIFIED SIGNATURE OF EACH CANDIDATE.

(2) CANDIDATES CAN HAVE THEIR NAMES ON ONLY ONE LIST.

(3) CANDIDATES MUST HAVE AN OFFICIAL ADDRESS IN SAIGON IN ORDER TO KEEP UP CORRESPONDENCE WITH THE AGENCY IN CHARGE OF ORGANIZING THE ELECTION. (MORE)

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ARTICLE 14. APPLICATIONS OF CANDIDATES WILL BE SUBMITTED TO THE OFFICE OF THE SPECIAL COMMISSIONER FOR ADMINISTRATION OR OF THE MINISTER OF INTERIOR FROM (DATE BLANK) THROUGH (DATE BLANK) AND MUST BE FILED BY ONE OF THE CANDIDATES ON THE LIST. IN ADDITION, THE APPLICATIONS MUST BE ACCOMPANIED BY THE FOLLOWING DOCUMENTS;

(1) A BIRTH CERTIFICATE OR A DOCUMENT REPLACING IT.

(2) A #2 POLICE RECORD NOT OLDER THAN THREE MONTHS.

(3) A CERTIFICATE THAT THE CANDIDATE RESIDES LEGALLY IN VIET-NAM, ISSUED BY THE MAYORS OR PROVINCE CHIEFS OF THE LOCALITY WHERE THE CANDIDATE RESIDES.

(4) A CERTIFICATE THAT THE CANDIDATES HAS COMPLIED WITH MILITARY DRAFT REGULATIONS, ISSUED BY THE MINISTRY OF DEFENSE.

(5) SYMBOLS OF THE LIST AND TWO 4 BY 6 PHOTOGRAPHS OF EACH CANDIDATE.

(6) RECEIPT OF DEPOSIT FOR ELECTORAL CAMPAIGN EXPENSES PRESCRIBED IN ARTICLE 24.

(7) A LIST OF REPRESENTATIVES TO BE ASSIGNED TO THE CENTRAL ELECTORAL CAPIAGN COMMITTEE PRESCRIBED IN ARTICLE 20.

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(8) A CERTIFICATE ATTESTING TO VIETNAMESE MATURALIZATION OR RECOVERY OF VIETNAMESE CITIZENSHIP, IF THE CANDIDATE FALLS WITHIN THE CATEGORY PRESCRIBED BY PARAGRAPH 1 IN ARTICLE 10.

WHEN IT RECEIVES AN APPLICATION, THE OFFICE OF THE SPECIAL COMMISSIONER FOR ADMINISTRATION OR OF THE MINISTER OF INTERIOR MUST IMMEDIATELY ISSUE A RECEIPT TO THE PERSONS FILING IT.

ARTICLE 14. (1) THE LISTS OF CANDIDATES WILL BE ARRANGED

ACCORDING TO THE SEQUENCE IN WHICH THE FILE FOLLOWING HOUR, DAY, AND MONTH.

(2) THE ABOVE-MENTIONED LISTS WILL BE POSTED FOR THE FIRST TIME AT THE HEADQUARTERS OF ALL ADMINISTRATIVE HEADQUARTERS BY (DATE BLANK).

(3) A RECORD OF THIS FIRST POSTING MUST BE KEPT.

ARTICLE 15. (1) ELECTORS AND CANDIDATES MAY FILE COMPLAINTS TO THE OFFICE OF THE MAYOR OR PROVINCE-CHIEF ON CANDIDATES' QUALIFICATIONS FROM (DATE BLANK) TO (DATE BLANK).

(2) THE OFFICE OF THE MAYOR OR OF THE PROVINCE CHIEF MUST TRANSMIT COMPLAINTS, IF ANY, TO THE OFFICE OF THE SPECIAL COMMISSIONER FOR ADMINISTRATION OR OF THE MINISTER OF INTERIRO NO LATER THAN (DATE BLANK).

(3) THE OFFICE OF THE SPECIAL COMMISSIONER FOR ADMINISTRATION OR OF THE MINISTER OF INTERIOR WILL DISPATCH THE LISTS OF CANDIDATES, DOCUMENTS OF CANDIDATES AND COMPLAINTS TO THE COUNCIL MENTIONED IN ARTICLE 16, NOT LATER THAN OCTOBER 16, 1967.

ARTICLE 16. IN SAIGON CAPITAL, A REVIEW COUNCIL WILL BE SET UP WITH THE FOLLOWING COMPOSITION;

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(1) THE CHAIRMAN IS THE PRESIDING JUDGE OF THE SUPREME COURT OF APPEAL

(2) THREE DEPUTIES OF THE NATIONAL ASSEMBLY WHO ARE NOT CANDIDATES FOR THE UPPER HOUSE, NOMINATED BY THE NATIONAL ASSEMBLY, WILL SERVE AS MEMBERS.

(3) TWO MEMBERS OF THE PREFECTURAL COUNCIL AHO ARE NOT CANDIDATES FOR THE UPPER HOUSE, NOMINATED BY THE COUNCIL, WILL SERVE AS MEMBERS.

(4) FOUR VOTERS' REPRESENTATIVES OF THE FOUR TACTICAL ZONES CHOSEN BY LOT FROM A LIST OF TWENTY NOTABLES DRAWN UP BY LOCAL AUTHORITIES AND WHO ARE NOT CANDIDATES FOR THE UPPER HOUSE, WILL SERVE AS MEMBERS.

(5) ONE REPRESENTATIVE OF THE SPECIAL COMMISSARIAT FOR ADMINISTRATION OR OF THE MINISTRY OF INTERIOR WILL SERVE AS REPORTER AND WILL HAVE THE RIGHT TO VOTE.

ARTICLE 17. (1) THE REVIEW COUNCIL MENTIONED IN THE ABOVE ARTICLE HAS THE DUTY TO STUDY THE DOSSIERS OF CANDIDATES TO DECIDE WHETHER THEIR NAMES ARE TO BE REGISTERED OR ELIMINATED FROM THE LIST OF CANDIDATES. THIS REVIEW WILL LAST EIGHT DAYS, FROM (DATE BLANK) THROUGH (DATE BLANK).

(2) IN CASE ONE OR SEVERAL CANDIDATES ON A LIST ARE ELIMINATED, THE COUNCIL WILL REVIEW THE REGISTRATION OF SUBSTITUTES, IF ANY, ON THE SAME LIST. HOWEVER, IF A CANDIDATE IS REJECTED FOR BEING WITHIN THE CATEGORIES PRESCRIBED BY PARAGRAPH 8 OF ARTICLE 11, NO SUBSTITUTE WILL BE ACCEPTED AND NONE OF THE CANDIDATES ON THE LIST WILL BE ALLOWED TO RUN IN THE ELECTION.

(3) THE COUNCIL MUST INVITE ALL CANDIDATES TO ATTEND A MMEETING HELD ON (DATE BLANK) AT THE LATEST TO OFFICIALLY INFORM THEM OF THE REGISTRATION OR ELIMINATION OF THEIR NAMES.

(4) FROM (DATE BLANK) TO (DATE BLANK) INCLUSIVE, CANDIDATES MAY SUBMIT COMPLAINTS CONCERNING THE REGISTRATION OR ELIMINATION OF NAMES TO BE COUNCIL. DURING THIS PERIOD VOTERS DO NOT HAVE THE RIGHT TO FILE COMPLAINTS.

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(5) THE REVIEW COUNCIL MUST FORWARD BY (DATE BLANK) AT THE LATEST TO THE FINAL REVIEW COUNCIL MENTIONED IN ARTICLE 18, NAME LISTS OF CANDIDATES TOGETHER WITH THE DOSSIERS OF CANDIDATES AGAINST WHOM THERE ARE COMPLAINTS, AND ALL COMPLAINTS RECEIVED.

(6) THE DOSSIERS OF CANDIDATES AGAINS WHOM THERE ARE NO

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COMPLAINTS WILL BE SENT BY THE REVIEW COUNCIL TO THE OFFICE OF THE SPECIAL COMMISSARIAT FOR ADMINISTRATION OR OF THE MINISTRY OF INTERIOR FOR THE SECOND POSTING.

ARTICLE 18. IN SAIGON CAPITAL, A FINAL REVIEW COUNCIL WILL BE ESTABLISHED WITH THE FOLLOWING COMPOSITION;

(1) THE CHAIRMAN OF THE COUNCIL IS THE PRESIDING JUDGE OF THE COURT OF CASSATION.

(2) THE CHAIRMAN OF THE STATE COUNCIL OR A MAGISTRATE NOMINATED BY THE LETTER AILL SERVE AS MEMBER.

(3) THE DEAN OF THE LAWYERS CORPS (SAIGON OR HUE BARS) WILL SERVE AS MEMBER.

(4) THREE DEPUTIES OF THE NATIONAL ASSEMBLY WHO ARE NOT CANDIDATES FOR THE UPPER HOUSE, NOMINATED BY THE NATIONAL ASSEMBLY WILL SERVE AS MEMBERS.

(5 ONE REPRESENTATIVE OF THE SPECIAL COMMISSARIAT FOR ADMINISTRATION OR OF THE MINISTRY OF INTERIOR WILL SERVE AS REPORTER AND WILL HAVE THE RIGHT TO VOTE.

ARTICLE 19. (1) THE FINAL REVIEW COUNCIL IS CHARGED WITH STUDYING ALL COMPLAINTS AGAINST CANDIDATES WHICH HAVE BEEN SUBMITTED BY THE REVIEW COUNCIL. AFTER A SIX DAY PERIOD FROM (DATE BLANK) TO (DATE BLANK), THE COUNCIL MUST TRANSMIT AFTER FINAL DECISION ALL DOSSIERS OF CANDIDATES TO THE OFFICE OF THE SPECIAL COMMISSARIAT FOR ADMINISTRATION OR OF THE MINISTRY OF INTERIOR, AND THE LATTER WILL FORWARD ALL NAME LISTS OF CANDIDATES TO LOCAL ADMINISTRATIVE AUTHORITIES BY (DATE BLANK), AT THE LATEST.

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(2) NAME LISTS OF ALL CANDIDATES WILL BE POSTED FOR THE SECOND TIME AT ALL ADMINISTRATIVE HEADQUARTERS NOTLATER THAN (DATE BLANK).

(3) A RECORD OF THIS SECOND POSTING MUST BE KEPT. (MORE)
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CINCPAC FOR POLAD

SUBJECT: CONSTITUENT ASSEMBLY; DRAFT UPPER HOUSE ELECTION LAW

ARTICLE 20. (1) A CENTRAL ELECTION COMPAIGN COMMITTEE WILL BE ESTABLISHED FOR THE AHOLE COUNTRY COMPOSED OF A PRINCIPAL REPRESENTATIVE AND A SUBSITUTE FOR EACH LIST OF CANDIDATES.

(2) IN THE SAIGON CAPITAL, EACH PROVINCE, AND EACH MUNICIPALITY A LOCAL ELECTION CAMPAIGN COMMITTEE WILL BE ESTABLISHED, AND ITS COMPOSITION WILL BE TYE SAME AS ABOVE.

(3) THE NAME AND ADDRESS OF EACH REPRESENTATIVE ASSIGNED TO

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THE CENTRAL ELECTION CAMPAIGN COMMITTEE MUST BE ENCLOSED WITH THE DOSSIER OF THE CANDIDATES UPON FILING THE APPLICATION FOR CANDIDACY.

(4) THE REPRESENTATIVE OF EACH LIST OF CANDIDATES ASSIGNED TO LOCAL ELECTION CAMPAIGN COMMITTEES WILL BE NOMINATED BY THE CANDIDATES' REPRESENTATIVES ON THE CENTRAL ELECTION CAMPAIGN COMMITTEE.

ARTICLE 21. (1) THE HEAD OF THE CENTRAL ELECTION CAMPAIGN COMMITTEE AND THE HEADS OF LOCAL ELECTION CAMPAIGN COMMITTEES WILL BE RESPECTIVELY ELECTED BY LISTS' REPRESENTATIVES WITHIN EACH COMMITTEE.

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(2) HEADS OF THE COMMITTEES ONLY HAVE THE RIGHT TO CALL MEETINGS AND CONDUCT DEBATES WITHIN THEIR COMMITTEE. IN CASE OF A TIE VOTE RESULTING FROM THE DIFFERENCE OF OPINIONS BETWEEN THE REPRESENTATIVES, THE VOTE OF THE HEAD OF THE COMMITTEE IS DECIDING.

ARTICLE 22. (1) THE CENTRAL ELECTION CAMPAIGN COMMITTEE WILL BE CONVENED BY THE SPECIAL COMMISSARIAT FOR ADMINISTRATIION THE FIRST TIME ON (DATE BLANK).

(2) LOCAL ELECTION CAMAPGIN COMMITTEES WILL BE CONVENED BY MAYORS OR PROVINCE CIEFS THE FIRST TIME RIGHT AFTER THE HEAD OF

THE CENTRAL ELECTION CAMPAIGN COMMITTEE HAS TRANSMITTED TO THE MAYORS AND PROVINCE CHIEFS THE NAMES OF LOCAL REPRESENTATIVES OF ALL LISTS OF CANDIDATES.

ARTICLE 23. ALL CANDIDATES WILL RECEIVE EQUAL FACILITIES IN THE ELECTORAL CAMPAIGN.

THE CENTRAL ELECTORAL CAMPAIGN COMMITTEE WILL BE CHANGED WITH THE FOLLOWING TASKS;

(1) TO FIX THE NUMBER, THE SIZE AND THE COLOR OF POSTERS AND LEAFLETS. EACH LIST WILL HAVE THE MAXIMUM OF TWO KINDS OF POSTERS NOT LARGER THAN 65 CM BY 100 CM AND TWO KINDS OF LEAFLETS NOT LARGER THAN 20 CM BY 25 CM.

(2) TO DETERMINE PROCEDURES GOVERNING PRESS ACTIVITIES ON BEHALF OF CANDIDDATES OR THEIR REPRESENTATIVES.

(3) TO FIX THE DATES FOR TALKS BETWEEN REPRESENTATIVES OF THE LISTS OF CANDIDATES AND ELECTORS IN EACH LOCALITY.

(4) TO FIX MODES OF USE OF MOBILE BROADCASTING UNITS, RADIO STATIONS, AND TELEVISION IN THOSE PLACES WHERE THESE MEANS OF PROPAGANDA EXIST. EQUAL TIME MUST BE RESERVED FOR ALL CANDIDATES FOR USE OF THESE FACILITIES.

(5) TO FIX THE DATE FOR PUTTING UP POSTERS, DISTRIBUTING LEAFLETS, ND REPORTING THESE ACTIVITIES TO MAYOR AND PROVINCE CHIEFS.

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LOCAL ELECTION CAMPAIGN COMMITTEES WILL HAVE THE FOLLOWING TASKS;

(1) TO PRINT, TRANSPORT AND DISTRIBUTE LEAFLETS AND POSTERS.

(2) TO FIX THE PLACES FOR PUTTING UP POSTERS AND LEAFLETS. LEAFLETS MY BE DISTRIBUTED TO THE HOMES OF ELECTORS.

(3) TO MAKE CONTACT WITH LOCAL ADMINISTRATIVE AUTHORITIES FOR FIXING THE PLACES WHERE TALKS BETWEEN REPRESENTATIVES OF THE LISTS OF CANDIDATES AND ELECTORS WILL TAKE PLACE, AND DETERMINING THE ITINEARRY FOF MOBILE BROADCASTING UNITS.

NOBODY IS ALLOWED TO MAKE USE OF CAMPAIGN MEANS OUTSIDE THE NUMBER AND MODES FIXED BY THIS ARTICLE.

ARTICLE 24. (1) EXPENSES RELATED TO THE ORGANIZATION OF THE ELECTIONS, INCLUDING THE COST OF CANDIDATES' OBSERVERS, WILL BE BORNE BY THE NATIONAL BUDGET.

(2) CONCERNING CAMPAIGN EXPENDITURES, THE NATIONAL BUDGET WILL COVER A MAXIMUM EXPENSE OF ONE PIASTER PER ELECTOR FOR THE WHOLE COUNTRY AND FOR EACH LIST OF CANDIDATES.

(3) IF THE CENTRAL ELECTION CAMPAIGN COMMITTEE DEEEMS A LARGER AMOUNT NECESSARY, THE NATIONAL BUDGET WILL STILL ONLY PROVIDE THE ABOVE-MENTIONED MAXIMUM SUM, AND CANDIDATES MUST COVER THE EXTRA EXPENDITURES BY THEIR OWN MEANS.

(4) EACH LIST OF CANDIDATES MUST DEPOSIT IN THE TREASURY A SUM OF

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ONE HUNDRED AND EIGHTY THOUSANDS PIASTERS (VN $180,000) TO COVER CAMPAIGN COSTS.

(5) IF A LIST OF CANDIDATES WITHDRAW THEIR CANDIDARY AFTER MATERIAL FOR THE ELECTORAL CAMPAIGN HAS BEEN PRINTED, OR IF THEY FAIL TO RECEIVE MORE THAN FIVE PERCENT OF THE TOTAL NUMBER OF VALID VOTES, THE ABOVE-MENTIONED DEPOSITED SUM WILL NOT BE RETURNED.

(6) IN THE ABOVE CASE, THE LIST OF CANDIDATES CONCERNED MUST ALSO REIMBURSE THE NATIONAL TREASURY THE DIFFERENCE BETWEEN THE DEPOSIT AND THE COST OF ITS ELECTORAL CAMPAIGN IF THE COST

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EXCEED ONE HUNDRED AND EIGHTY THOUAND PIATER. IN THIS CASE, CANDIDATES ON THE LIST CONCERNED WILL BE JOINTLY RESPONSIBLE FOR REIMBURSING THE ABOVE-MENTIONED DIFFERENCE TO THE NATIONAL TREASURY.

(7) THE WITHDRAWAL OF APPLICATION FOR ELECTION IS ONLY ALLOWED IF ALL CANDIDATES OF A LIST SO REQUEST, BY PUTTING THEIR SIGNATURES ON THE APPLICATION.

ARTICLE 25. (1) SYMBOLS OR PHTOGRAPHS OF EACH LIST MUST BE SUBMITTED TO THE CENTRAL ELECTION CAMPAIGN COMMITTEE NO LATER THAN ONE DAY AFTER THE LATTER HAS CONVENED THE FIRST TIME , FOR IMMEDIATE TRANSMITTAL TO THE SPECIAL COMMISSARIAT FOR ADMINISTRATION OR THE MINISTRY OF INTERIOR, FOR PRINTING OF POSTERS, LEAFLETS AND BALLOTS. (MORE)
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(2) TEXTS OF POSTERS AND LEAFLETS MUST BE SUBMITTED TO THE ELECTION CAMPAIGN COMMITEE WITHIN THE TIME LIMIT SET BY THE COMMITTEE.

ARTICLE 26. (1) THE ELECTORAL CAMPAIGN WILL LAST FOR A PERIOD OF FIFTEEN FULL DAYS, FROM (DATE BLANK) TO (DATE BLANK) AT TWELVE NOON.

(2) ANY CANDIDATE NOTING A VIOLATION OF THE PROVISIONS OF

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ARTICLE 23 OR OF THIS ARTICLE HAS THE RIGHT TO REQUEST THE CAMPAIGN COMMITTEE TO INTERVENE WITH THE AUTHORITIES TO TAKE APPROPRIATE MEASURES TO IMMEDIATELY PUT AN END TO ANY VIOLATION.

CHAPTER FIVE

VOTING PROCEDURES
AND COUNTING OF BALLOTS

ARTICLE 27. (1) SENATOR WILL BE ELECTED ON A LIST SYSTEM OF UNIVERSAL SUFFRAGE, DIRECT AND SECRET BALLOT.

(2) EACH LIST IS COMPOSED OF NINE CANDIDATES.

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(3) IF SEVERAL LISTS RECEIVE AN EQUAL NUMBER OF VOTES, THE LIST WITH THE HIGHEST AGGREGATE AGE WILL BE DECLARED ELECTED.

ARTICLE 28. (1) THE PRINTING OF BALLOTS WILL BE UNDERTAKEN BY THE SPECIAL COMMISSARIAT FOR ADMINISTRATION OR THE MINISTRY OF INTERIOR. THEY WILL BE PRINTED IN BLACK AND WHITE ACCORDING TO THE MODEL ATTACHED TO THIS DECREE-LAW.

(2) AT THE FRONT END OF THE BALLOT THERE WILL BE PRINTED CLEARLY THE SLOGAN, IF ANY, AND THE SYMBOL OF THE LIST TO HELP ELECTORS TO DISTINGUISH ONE LIST FROM ANOTHER.

(3) THE FULL NAMES OF CANDIDATES MAY BE PRINTED 1 CM HIGH AND

3 CM WIDE (RECTANGULAR FORM). THE PHOTOGRAPH OF EACH CANDIDATE WILL BE PRINTED WITHIN A SQUARE OF 3 CMA SIDE, AFTER THE CANDIDATE'S NAME AND ON THE RIGHT OF THE BALLOT. THE COMMON SYMBOL OF THE LIST WILL BE PRINTED ON THE RIGHT UPPER SQUARE CORNER 5 X 5 CM.

(4) CANDIDATES ARE FREE TO CHOOSE THEIR OWN SYMBOLS, BUT QUEER, INTERNATIONAL, AND RELIGIOUS SYMBOLS ARE FORBIDDEN. SYMBOLS OF POLITICAL GROUPS CAN BE USED EXCEPT IN CASES WHERE THEY ARE CONTESTED BY THE CENTRAL EXECUTIVE COMMITTEE OF THE GROUP CONCERNED.

(5) LISTS MAY NOT CHOOSE SYMBOLS WHICH ARE SIMILAR TO EACH OTHER. SYMBOLS MUST BE APPROVED BY THE CENTRAL ELECTION CAMPAIGN COMMITTEE.

ARTICLE 29. (1) THE LOCATION OF POLLING STATIONS WILL BE DECIDED BY MAYORS AND PROVINCE CHIEFS AND DECLARED PUBLICLY BY (DATE BLANK) AT THE LATEST.

(2) A COMMITTEE COMPOSED OF A CHAIRMAN, A DEPUTY CHAIRMAN AND AN EVEN NUMBER OF MEMBERS (AT LEAST TWO) WILL BE IN CHARGE OF EACH POLLING STATION. THE CHAIRMAN AND DEPUTY CHAIRMAN WILL BE APPOINTED BY THE MAYORS AND PROVINCE CHIEFS

AND WILL BE CHOSEN FROM AMONG THOSE PEOPLE KNOWN FOR THEIR

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SERIOUSNESS AND KNOWLEDGE OF ELECTORAL LAWS. THE MEMBERS ARE CHOSEN BY THE CHAIRMAN FROM VOTERS PRESENT AT THE POLLING STATION ON ELECTION DAY.

(3) EACH LIST HAS THE RIGHT TO DESIGNATE AN OBSERVER IN THE POLLING STATION. THE LATTER MUST HAVE A CERTIFICATE ISUED BY THE CANDIDATE OR BY THE OFFICIAL REPRESENTATIVE OF THE LIST, AND DULY CERTIFIED BY AUTHORITIES.

(4) THE COMMITTEE CHAIRMAN IS ENTRUSTED WITH THE TASK OF SUPERVISING THE VOTING SO THAT IT WILL PROCEED IN CONFORMITY WITH THE ELECTORAL LAW. HE IS RESPONSIBLE FOR KEEPING ORDER AT THE POLLING STATION.

(5) THE CHAIRMAN IS OBLIGED TO MAKE A REPORT IMMEDIATELY IN THE EVENT OF FRAUD OR IF A COMPLAINT IS MADE BY THE CANDIDATES' REPRESENTATIVES.

(6) THE DEPUTY CHAIRMAN ASSISTS THE CHAIRMAN IN THE ABOVE DUTIES AND WILL SUPERVISE THE DISTRIBUTION OF BALLOTS.

(7) THE VOTING BEGINS AT 0700 AND ENDS AT 1700 THE SAME DAY.

ARTICLE 30. (1) VOTERS HAVE TO CAST THEIR BALLOTS PERSONALLY AT THE POLLING STATIONS. THEY CANNOT VOTE BY MAIL OR BY PROXY.

(2) WHEN ENTERING THE POLLING BOOTH, THE VOTER IS FORBIDDEN TO CARRY WEAPONS. HE MUST SHOW HIS VOTING CARD TOGEHTER WITH HIS IDENTITY CARD BEFORE RECEIVING AN ENVELOPE AND BALLOTS.

(3) THE PERSON WHO DISTRIBUTES THE BALLOTS MUST GIVE VOTERS ONE FOR EACH LIST OF CANDIDATES AND ALTERNATE THE SEQUENCE IN WHICH THEY ARE GIVEN TO THE VOTER.

(4) THE VOTER MUST GO ALONE INTO A COVERED BOOTH. IF HE WISHES TO VOTE FOR A CERTAIN LIST, HE WILL CHOOSE THE BALLOT OF THIS LIST AND PUT IT IN AN ENVELOPE.

(5) THE VOTER MUST SELECT A BALLOT FROM AMONG THOSE GIVEN TO HIM. HE CANNOT ADD, DELETE, OR CHANGE ANY NAMES. HE CANNOT CHOOSE NAMES OF CANDIDATES FROM DIFFERENT LISTS.

(6) UNUSED BALLOTS MUST BE TORN APART AND DROPPED IN A CONTAINER IN THE POLLING BOOTH.

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(7) UPON LEAVING THE POLLING BOOTH, THE VOTER WILL TAKE WITH HIM THE ENVELOPE CONTAINING THE BALLOT, HOLD IT HIGH TO SHOW THERE IS ONLY ONE ENVELOPE, THAN DROP IT IN THE BALLOT BOX.

(8) PHYSICALLY HANDICAPPED VOTERS MAY BE ALLOWED BY THE COMMITTEE CHAIRMAN TO SELECT A VOTER TO HELP HIM. THE COMMITTEE CHAIRMAN HAS FULL AUTHORITY TO DECIDE ON THESE CASES.

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(9) AFTER THE VOTER HAS CAST HIS BALLOT, A MEMBER OF THE COMMITTEE IN CHARGE OF THE POLLING STATION WILL STAMP THE VOTER'S VOTING CARD AND CUT THE CARD AT A CORNER. THE CORNERS CUT FROM VOTING CARDS MUST BE PRESERVED FOR FURTHER CHECKING AGAINST THE NUMBER OF VOTERS WHO HAVE VOTED. (MORE)
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ARTICLE 31. (1) THE BALLOT BOX HAS A SMALL SLOT FOR THE PASSAGE OF THE BALLOT. WHEN THE VOTING BEGINS, THE COMMITTEE CHAIRMAN OPENS THE BALLOT BOX AND SHOWS IT TO THE PUBLIC SO THE LATTER CAN SEE THAT IT IS EMPTY.

(2) THEN THE BALLOT BOX IS CLOSED BY TWO DIFFERENT LOCKS WHOSE KEYS ARE KEPT ONE BY THE COMMITTEE CHAIRMAN AND THE OTHER BY THE OLDER MEMBER OF THE COMMITTEE.

(3) IF, WHEN THE VOTING IS OVER, A KEY IS MISSING, THE BALLOT BOX MUST BE OPENED BY ANY MEANS AND THE FACT NOTED IN THE REPORT.

ARTICLE 32. (1) IF THERE ARE ANY SIGNS INDICATING THAT THERE MAY BE SERIOUS DISBURBANCES OR SABOTAGE DURING THE COUNTING OF VOTES, MAYORS AND PROVINCE CHIEFS MAY AUTHORIZE THE COMMITTEE IN CHARGE OF THE POLLING STATION TO BRING BALLOT BOXES TO A MORE SECURE PLACE TO COUNT THE BALLOT.

(2) IN SUCH CASES, THE FOLLOWING MEASURES MUST BE STRICTLY APPLIED;

(A) VOTERS AND CANDIDATES' REPRESENTATIVES MUST BE INFORMED.

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(B) BEFORE MOVING THE BALLOT BOXES, THE COMMITTEE CHAIRMAN MUST SEAL ALL BALLOT BOXES, SLOTS IN BALLOTBOXES, AND TWO LOCKS AS WELL AS RELATED DOCUMENTS.

(C) FROM THE START OF THE MOVE UNTIL THE COUNTING OF THE VOTES, CANDIDATES, REPRESENTATIVES AND ALL COMMITTEE MEMBERS MUST BE PRESENT. THIS FACT WILL BE ENTERED IN THE REPORT.

ARTICLE 33. WHEN THE VOTING IS OVER, VOTES WILL BE COUNTED IN THE FOLLOWING MANNER;

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(1) THE COMMITTEE IN CHARGE OF THE POLLING STATIONS WILL APPOINT FROM AMONG THE VOTERS PRESENT WHO CAN READ AND WRITE A NUMBER WHO WILL COUNT BALLOTS. THEY WILL BE DIVIDED INTO GROUPS OF FOUR PERSONS SITTING AT SEPARATE DESKS.

(2) THE COMMITTEE CHAIRMAN OPENS THE BALLOT BOXES AND HAS THE ENVELOPES COUNTED.

(3) AFTER THE ENVELOPES ARE COUNTED, THE COMMITTEE CHAIRMAN MUST HAVE THE CORNERS OF VOTING, CARDS COUNTED. IF THE NUMBER OF ENVELOPES EXCEEDS OR IS LESS THAN THE NUMBER OF VOTERS WHO HAVE VOTED, IT MUST BE NOTED IN THE REPORT. THE NUMBER OF VOTERS WHO HAVE VOTED IS THE NUMBER OF CORNERS CUT FROM THE VOTERS' CARDS.

(R) THE COMMITTEE CHAIRMAN PUTS SOME BALLOTS ON EACH DESK FOR COUNTING. AT EACH DESK, THE FIRST COUNTER OPENS THE ENVELOPE AND HANDS OVER THE BALLOT TO THE SECOND COUNTER WHO READS ALOUD THE NAMES PRINTED ON THE BALLOT. THE BALLOT IS THEN HANDED OVER TO TWO OTHER VOTE COUNTERS WHO CHECK IT SEPARATELY AND NOTE IT ON THE TALLY SHEET. WHEN COUNTING, THE FIRST AND SECOND COUNTERS ARE NOT ALLOWED TO HOLD ANYTHING IN THEIR HANDS WHICH MIGHT MAKE THE BALLOTS IRREGULAR.

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ARTICLE 34. BALLOTS WILL BE CONSIDERED INVALID IN THE FOLLOWING CASES;

(1) IF ENVELOPES CONTAIN MORE THAN ONE BALLOT. HOWEVER, IF THERE BE MORE THAN ONE BALLOT BEARING NAMES OF THE SAME LIST, THE BALLOT WILL BE CONSIDRED VALID AND COUNT AS ONE VOTE.

(2) IF THE ENVELOPED IS DIFFERENT FROM THOSE DISTRIBUTED TO VOTERS.

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(3) IF ENVELOPES ARE EMPTY OR CONTAIN SOMETHING OTHER THAN THE BALLOTS.

(4) IF ENVELOPES OR BALLOT CONTAIN ADDITIONAL WORD OR YM OL.

(5) IF THE BALLOT IS NOT INSIDE THE ENVELOPES.

(6) IF THE BALLOT SHOWS ADDITIONAL NAMES OR THE NAMES OF CANDIDATES HAVE BEEN CHANGED OR THEIR ORDER MODIFIDED, OR IF THE BALLOT IS TORN IN TWO PARTS.

THE COMMITTEE CHAIRMAN AND ONE MEMBER OF THE COMMITTEE MUST SIGN ON THE IRREGULAR ENVELOPE OR BALLOT WHICH WILL THEN BE ENCLOSED WITH THE COMMITTEE REPORT STATING THE CAUSE OF THE IRREGULARITY.

IN THE IRREGULAR ENVELOPES AND BALLOTS ARE NOT ENCLOSED WITH THE REPORT THE ELECTION WILL BE ANNULLED ONLY IN THE CASE THAT THE IRREGULAR BALLOTS COULD MODIFY THE RESULTS OF THE ELECTION.

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ARTICLE 35. (1) IMMEDIATELY AFTER THE COUNTING OF VOTES THE COMMITTEE IN CHARGE OF THE POLLING STATION WILL PREPARE A REPORT IN TRIPLICATE.

(2) AT POLLING STATIONS IN THE PROVINCES, THE COMMITTEE CHAIRMAN WILL POST ONE COPY OF THE REPORT IN HIS OFFICE, KEEP ONE COPY FOR HIMSELF, AND FORWARD ONE COPY TO THE MAIN POLLING STATION AT THE DISTRICT TOWN TOGETHER WITH THE BALLOT AND ENVELOPE DEVRI-ED IN ARTICLE 31, IF ANY, FOR A SUMMING UP OF THE RESULTS IN THE DISTRICT. THE COMMITTEE CHAIRMAN OF THE MAIN POLLING STATION WILL ADD UP THE NUMBER OF VOTES RECEIVED BY EACH LIST AND PREPARE A REPORT IN TRIPLICATE FOR ALL POLLING STATIONS WITHIN THE DISTRICT, AND THEN POST THE TEMPORARY RESULTS AT THE DISTRICT ADMINISTRATIVE OFFICE.

(3) IMMEDIATELY AFTER, THE ABOVE-MENTIONED REPORT WILL BE SENT TO THE POLLING STATION OF THE PROVINCE CAPITAL. THE COMMITTEE CHAIRMAN OF THIS POLLING STATION WILL ADD UP THE TOTAL NUMBER OF VOTES FOR EACH LIST WITHIN THE PROVINCE, WRITE A REPORT, AND POST THE TEMPORARY RESULTS AT THE PROVINCE HEADQUARTERS.

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(4) IN SAIGON, HUE DANANG, CAM RANH, DALAT AND VUNG TAU, THE TEMPORARY RESULTS FROM VARIOUS POLLING STATIONS WILL BE TRANSMITTED TO THE MAIN POLLING STATION LOCATED AT THE MUNICIPAL ADMINISTRATIVE OFFICE.

ARTICLE 36. (1) RESULTS OF THE ELECTIONS IN THE PROVINCES AND MUNICIPALITIES WILL BE TRANSMITTED BY THE MOST RAPID MEANS AVAILABLE TO THE OFFICE OF THE SPECIAL COMMISSARIAT FOR ADMINISTRATION OR THE OFFICE OF THE MINISTRY OF INTERIOR WHICH WILL ANNOUNCE THE TEMPORARY RESULTS AS IT RECEIVES THEM (MORE)
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NSA ARTICLE 37. (1) REPORTS PREPARED BY THE PROVINCES AND MUNICIPALITIES AND THE ENCLOSED INVALID BALLOTS AND ENVELOPS MUST BE SENT TO THE FINAL REVIEW COUNCIL STIPULATED IN ARTICLE 18.
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AID (2) THE COUNCIL WILL REVIEW ALL INVALID BALLOTS OR CONSTESTED BALLOTS, CHECK AND OFFICIALLY ANNOUNCE THE RESULTS OF THE ELECTION ON (DATE BLANK). THIS COUNCIL WILL THEN FORWARD
RSR THE REPORT AND ALL DOCUMENTS TO THE SPECIAL COMMISSARIAT FOR

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ADMINISTRATION OR THE MINISTRY OF INTERIOR FOR TRANSMITTAL TO THE NATIONAL ASSEMBLY WHICH WILL USE THEM AS DOCUMENTS OF PROOF IN FURTHER VALIDATING ELECTION OF THE SENATORS.

CHAPTER SIX

COMPLAINTS AND LAWSUITS

ARTICLE 38. (1) ELECTORS AND CANDIDATES HAVE THE RIGHT TO COMPLAIN ABOUT THE IRREGULARITY OF THE ELECTION.

(2) COMPLAINTS CITING REASONS THEREFORE, MUST BE PERSONALLY FILED AT THE OFFICE OF THE NATIONAL ASSEMBLY OR SENT BY MAIL TO THE LATTER BY (DATE BLANK) AT THE LATEST. ALL COMPLAINTS FILED OR SENT AFTER THIS DATE WILL NOT BE CONSIDERED.

(3) WHEN IT RECEIVES A COMPLAINT, THE OFFICE OF THE NATIONAL

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ASSEMBLY MUST PUT A STAMP MARKING THE DATE OF ARRIVAL OF THE COMPLAINT ON THE LATTER TO ACKNOWLEDGE THE FACT.

(4) AS CONCERNING THE COMPLAINTS SENT BY MAIL, THE STAMP OF THE POST OFFICE WILL SERVE AS PROOF.

(5) COMPLAINTS AND ENCLOSED DOCUMENTS, IF ANY, WILL BE SUBMITTED TO THE OFFICE OF THE UPPER HOUSE WHICH WILL USE THEM AS DOCUMENTS IN ITS FURTHER CONSIDERATION OF VALIDATION OF SENATORS.

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ARTICLE 39. VIOLATIONS OF THE FREE AND HONEST NATURE OF THE ELECTION OF SENATORS WILL BE PUNISHED ACCORDING TO DECREE-LAW NO. 13/64 DATED JULY 8, 1964.

ARTICLE 40. (1) COMPLAINTS MUST BE FILED WITH THE COURT OF THE FIRST INSTANCE OR WITH THE JUSTICE OF THE PEACE WITH EXTENDED JURISDICTION, AT THE LATEST THREE DAYS AFTER ELECTION DAY.

(2) RECORDS OF PROCEEDINGS AND JUDGEMENT REGARDING THE ELECTION WILL BE EXEMPT FROM STAMP AND REGISTRATION FEES.

ARTICLE 42. PUBLIC OFFENSES, SLANDER, THREATS AND ASSAULT WHICH TAKE PLACE DURING THE COURSE OF THE ELECTION WILL BE JUDGED ACCORDING TO PROCEDURES PRESCRIBED IN ARTICLE 37 AND ARTICLE 38.

ARTICLE 43. (1) ANY WINNING CANDIDATE WHO IS CONVICTED BY A COURT UNDER THE PROVISIONS OF DECREE-LAW NO. 13/64 OF JULY 8, 1964, WILL NOT BE CONSIDERED ELECTED AND WILL NOT QUALIFY AS SENATOR.

(2) IN ACCORDANCE WITH ARTICLE 35, PARAGRAPH TWO, OF THE CONSTITUTION, AN ELECTION WILL BE HELD JOINTLY WITH THE NEXT ELECTION OF ONE-HALF OF THE TOTAL NUMBER OF SENATORS, TO FILL THE SEATS OF SENATOR WHO HAVE BEEN THUS PENALIZED.

(3) PENDING THE FINAL JUDGEMENT, THE CANDIDATE PROSECUTED HAS THE RIGHT TO PARTICIPATE IN THE AFFAIRS OF THE UPPER HOUSE.

(4) THIS LAW WILL BE PUBLISHED IN THE OFFICIAL JOURNAL OF THE REPUBLIC OF VIET-NAM.
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